

PETER GOODMAN, ESQ.
State Bar No. 65975
400 Montgomery Street, Second Floor
San Francisco, California 94104
Telephone: (415) 781-8866
Facsimile: (415) 781-2266

Attorney for Defendant
MARIO OCHOA-GONZALEZ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. 3:12-MJ-70293
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	CONTINUING DATE FOR PRELIMINARY
vs.)	<u>HEARING</u>
)	
MARIO OCHOA-GONZALEZ,)	
)	
Defendant.)	
)	

The United States of America, by its attorneys, Melinda Haag, United States Attorney, and Assistant United States Attorney ("AUSA") W.S. Wilson Leung, of counsel, and defendant MARIO OCHOA-GONZALEZ, by his attorney, Peter Goodman, Esq., hereby submit this Stipulation and [Proposed] Order requesting that the July 27, 2012, date currently set for the preliminary hearing in this matter be continued until August 23, 2012.

The parties hereby stipulate and agree to the following:

1. On March 13, 2012, defendant MARIO OCHOA-GONZALEZ was charged in a criminal complaint with violating 21 U.S.C. §846 and 841(a)(1) and (b)(1)(B), and 18 U.S.C. §924(c) and 2. The defendant was arrested and subsequently brought before the Honorable Nathanael M. Cousins on March 15, 2012, at which time Federal Public Defender ("FPD") Steven Kalar was appointed to represent the defendant who waived

1 his right to seek bail without prejudice to any future bail applications.

2 2. After his initial appearance, AUSA Leung and FPD Kalar attempted to
3 resolve this matter prior to the filing of an indictment. However, on April 16, 2012,
4 due to a conflict of interest, FPD Kalar withdrew as counsel of record for defendant
5 OCHOA-GONZALEZ and Peter Goodman was appointed as CJA counsel for the
6 defendant.

7 3. Since Mr. Goodman's appointment, the parties have continued their plea
8 discussions and have made progress toward a resolution of this matter but need some
9 additional time to accomplish that resolution. Accordingly, the parties request that the
10 July 27, 2012, date currently set for the preliminary hearing to continued to August 23,
11 2012, in order for the parties to pursue and finalize their plea discussions. Should this
12 request be granted, the parties hereby submit and agree that time should properly be
13 excluded under the Speedy Trial Act until August 23, 2012, in the interests of justice
14 and to ensure the continuity and effective assistance of counsel.

15 SO STIPULATED

16 DATED: July 23, 2012

17 MELINDA HAAG
18 United States Attorney

19 By: /s/
20 W.S. WILSON LEUNG
Assistant United States Attorney

21 SO STIPULATED

22 DATED: July 23, 2012

23
24 /s/
25 PETER GOODMAN
26 Attorney for Defendant
MARIO OCHOA-GONZALEZ

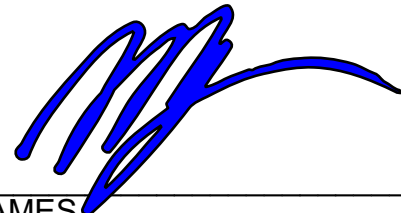
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ORDER CONTINUING PRELIMINARY HEARING

Based on the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the preliminary hearing in this matter, which is presently scheduled for July 27, 2012, be continued to August 23, 2012, and that time under the Speedy Trial Act be excluded through August 23, 2012.

DATED: July 25, 2012



MARIA-ELENA JAMES
UNITED STATES MAGISTRATE/JUDGE